



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II  
NEW YORK, NEW YORK 10007

**SUBJECT:** Confirmation of Verbal Authorization for an Emergency Removal Action at Niagara Falls Boulevard Site in Niagara Falls, NY

**FROM:** Eric M. Daly, On Scene Coordinator

**TO:** Walter E. Mugdan, Director  
Emergency and Remedial Response Division

**THRU:** Eric Mosher, Chief  
Response and Prevention Branch

The purpose of this memorandum is to confirm the Deputy Division Director's July 14, 2016 verbal authorization of \$500,000.00 in mitigation funding for a total project ceiling of \$1,100,000.00 to continue the emergency Comprehensive Environmental Response Compensation and Liability Act (CERCLA) removal action at the Niagara Falls Boulevard Site (Site ID# A23Q).

In 1978, the U.S. Department of Energy (DOE) conducted an aerial radiological survey of the Niagara Falls region and found more than 15 properties, including the Site, having elevated levels of radiation above background levels. It is believed that, in the early 1960s, slag from the Union Carbide facility located on 47<sup>th</sup> Street in Niagara Falls was used as fill on the properties prior to paving.

Niagara Falls Boulevard Site (Site) was referred to the EPA by the NYSDEC and NYSDOH on July 21, 2013. No other removal actions have been taken by other government or private parties prior to this request.

From December 2013 through May 2014, EPA Pre-Remedial conducted preliminary assessment at the Site. The program concluded that the Site did not meet the minimum criteria to be eligible for the inclusion on the EPA National Priorities List (NPL) for remediation. However, EPA continued to assess the site to determine if an action under the Removal Program is warranted.

From July 2015-August 2015, the USEPA Region 2 Removal Program conducted a Removal Assessment Evaluation (RSE) by further assessing radiological exposures in the interior and exterior of the property. The goal for this assessment was to determine the extent of contamination (i.e. how far does the contamination extend beyond the contamination area of concern determined by Pre-Remedial Program), as well as, determine interior contamination impacts (i.e. are workers/patrons exposed to elevated levels of radon/thoron or loose contamination).

Based on the conditions observed at the Site during the RSE, an emergency CERCLA removal action was warranted to begin on June 1, 2016 in order to remove the contaminated material in both the interior buildings and the parking lot surrounding both buildings to prevent further public exposure.

The removal action activities conducted at the Site that were authorized by the initial Verbal Authorization on May 13, 2016 included:

- Set up of office trailers, equipment trailer and instrumentation trailer.
- Construction of alternate storage room for GNBC Office Area materials.
- Clearing and removal of above ground vegetation in designated staging areas.
- Gamma survey of the proposed staging areas in the wooded areas.
- Hazardous staging area set up.
- Demolition of GNBC Office Area office non-load bearing walls.
- Removal of concrete flooring from GNBC Office Area.
- Initiation of the excavation and staging of contaminated material from GNBC Office Area.

The removal action activities proposed for the Site and authorized by this Confirmation of Verbal Authorization will include:

- Stabilization of GNBC Office structure due to newly discovered inefficient roof support and suspect perimeter wall footers. The construction of this addition was not by code and necessary steps must be taken to stabilize structure in order to continue work. Permanent measures must be taken to bring this structure up to code.
- Continuation of the excavation and staging of contaminated material from GNBC Office Area.
- Begin removal of asphalt, excavation of contaminated material from specific sections of the parking lot and staging.
- Initiate excavation and staging of contaminated material from other internal spaces within GNBC structure.
- Post excavation sampling, analysis of GNBC Office footprint and other excavated areas.
- Backfilling of cleared excavated area with clean fill.
- Bid out transport and disposal of contaminated material.

This confirmation memorandum will be followed by a full Action Memorandum to document the removal action and to request a 12-month exemption and ceiling increase.



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CONCURRENCES    Name:    Date:    Filename:								
Symbol	ERRD-RPB	ERRD-RPB	ERRD-ADD	ERRD-AD				
Surname	Daly	Mosher	Prince	Mugdan				
Date	07/14/2016							